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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,653	10/18/2001	David K. Howington	M-12592 US (59385-014)	7566
32566	7590	05/09/2006	EXAMINER	
PATENT LAW GROUP LLP 2635 NORTH FIRST STREET SUITE 223 SAN JOSE, CA 95134			LAstra, DANIEL	
			ART UNIT	PAPER NUMBER
			3622	

DATE MAILED: 05/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/981,653

Applicant(s)

HOWINGTON, DAVID K.

Examiner

DANIEL LASTRA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-31 and 37-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-31 and 37-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/15/02</u> . | 6) <input type="checkbox"/> Other: _____ |

1. Claims 7-31 and 37-43 have been examined. Application 09/981,653 (SYSTEM AND METHOD FOR CASINO MANAGEMENT) has a filing date 10/18/2001 and Claims Priority from Provisional Application 60241326 (10/18/2000).

Claim Objections

2. Applicant Response to Election / Restriction Filed 11/14/2005 did not include a listing of all the claims. All claims must be listed even, if withdrawn due to election. The text must be supplied (37 CFR 1.121).

Each amendment document that includes a change to an existing claim, cancellation of an existing claim or addition of a new claim, must include a complete listing of all claims ever presented, including the text of all pending and withdrawn claims, in the application. The claim listing, including the text of the claims, in the amendment document will serve to replace all prior versions of the claims, in the application. In the claim listing, the status of every claim must be indicated after its claim number by using one of the following identifiers in a parenthetical expression: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New), and (Not entered).

(1) Claim listing. All of the claims presented in a claim listing shall be presented in ascending numerical order. Consecutive claims having the same status of "canceled" or "not entered" may be aggregated into one statement (e.g., Claims 1 –5 (canceled)). The claim listing shall commence on a separate sheet of the amendment document and the sheet(s) that contain the text of any part of the claims shall not contain any other part of the amendment.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-16, 18-23 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Background of the Invention in view Blad (US 2001/0048374).

As per claim 7, Applicant's Background of the Invention teaches:

A casino management method for tracking history of gaming machines and casino locations, comprising the steps of:

assigning a respective location identifier to each location within a casino (see Applicant's background page 2, paragraph 1); associating a respective machine placard with each machine within the casino (see Applicant's background page 3, paragraph 2);

associating a respective machine identifier with each machine within the casino;

tracking within a database a history of the correlation between location, placard as machines and placards are moved within the casino (see Applicant's background page 3, paragraph 2) but fails to teach that said tracking is done using a machine identifiers. However, Blad teaches the monitoring of gaming machines using a unique machine identification code (see Blad paragraph 42). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that a casino resort management system as the one taught in Applicant's

background of the invention would be motivated to use unique machine identifiers as the one taught by Blad in order to track and monitor particular machines. The unique machine identifier would allow the tracking of particular machines no matter the location of said machines and without the need to use placard identifiers.

As per claim 8, Applicant's Background of the Invention teaches:

The method according to claim 7, further comprising the step of generating a report based on the tracked history in the database, the report organized according to any of the location identifier, the placard identifier (see , Applicant's Background page 2). Applicant's background does not teach that said report is done based upon machine identifier. However, the same argument made in claim 7 regarding this limitation is also made in claim 8.

As per claim 9, Applicant's Background of the Invention teaches:

The method according to claim 8, but fails to teach wherein the report simultaneously display historical data organized according location identifier, placard identifier and machine identifier. However, Official Notice is taken that it is old and well known in the computer art to organize and sort reports by different attributes, such as location, or identification. It would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that casinos' managers would organize the statistics accumulated on how particular machines perform on different casino locations using the machine identification or placard identifier in order to allow casino's manager better track said performance.

As per claim 10, Applicant's Background of the Invention teaches:

The method according to claim 7, further comprising the step of:
acquiring respective performance data associated with each machine within the casino (see Applicant's background page 2).

As per claim 11, Applicant's Background of the Invention teaches:

The method according to claim 10, further comprising the step of
determining and reporting a historical performance of different gaming machines at a particular location in the casino (see Applicant's background page 2).

As per claim 12, Applicant's Background of the Invention teaches:

The method according to claim 11, further comprising the steps of organizing locations within a casino into one or more zones and determining and reporting a historical performance of a particular zone within the casino (see Applicant's background page 2).

As per claim 13, Applicant's Background of the Invention:

The method according to claim 10, further comprising the step of
determining and reporting a historical performance of a particular gaming machine at different locations in the casino (see Applicant's background page 2).

As per claim 14, Applicant's Background of the Invention:

The method according to claim 10, further comprising the step of
determining and reporting a historical performance of different machines associated with a particular placard identifier (see Applicant's background page 3).

As per claim 15, Applicant's Background of the Invention:

The method according to claim 10, but fails to teach wherein performance data includes one or more of coin in, jackpot, win/loss, par% and act%. However, Blad teaches a system that monitors performance data such as coin in of gaming machines (see Blad paragraph 40). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that the gaming machine tracking method taught by Applicant's background would monitor performance data as coin in, as taught by Blad, in order to track the performance of particular machines with respect to the location of said machines.

As per claim 16, Applicant's Background of the Invention teaches:

A casino management method that tracks history of a plurality of gaming machines and casino locations, comprising the steps of:

tracking a respective first history of each gaming machine in a casino, each said first history including changes in location of the machine within the casino and machine performance (see Applicant's background page 2). Applicant's background fails to teach tracking changes in machine configuration and tracking a respective history of each location within a casino, each said second history including a type of game at the location, denomination of the game at the location, and information associated with the location. However, Blad teaches a system that monitors changes in machine configurations and type of game at the machine's location (see Blad paragraph 40). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that casinos resort management system as the one taught in Applicant's background of the invention would be motivated to monitor

changes in machine configurations and type of game at the machine's location in order to track the performance of machines according to said machine's location.

exchanging placards among the plurality of gaming machines while maintaining tracking of the first and second histories, said placards comprising a unique placard associated with each of the gaming machines (see Applicant's background page 3).

As per claim 18, Applicant's background:

The method according to claim 17, further comprising the steps of
associating a respective location identifier with each location within the casino
(see Applicant's background page 2);

associating a respective placard identifier with each gaming machine within the casino (see Applicant's background page 3); and

using the location identifiers and the placard identifiers associated with the first and second gaming machines and the first and second locations when tracking said first, second and third performances (see Applicant's background page 3). Applicant's background fails to teach using machine identifiers for said tracking. However, the same argument made in claim 7 with respect said missing limitation is also made in claim 18.

As per claim 19, Applicant's background teaches:

A casino management method for evaluating performance of different gaming machines and locations within a casino, comprising the steps of:

associating a respective location identifier with each of a plurality of locations within the casino (see Applicant's background page 2);

associating a respective placard identifier with each of a plurality of gaming

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machines within the casino (see Applicant's background page 3). Applicant's background does not teach a respective machine identifier. However, the same argument made in claim 7 regarding this missing limitation is also made in claim 19.

tracking a relationship between a particular gaming machine and a particular location based on the location identifiers and the placard identifiers (see Applicant's background page 3);

placing a first gaming machine in a plurality of different locations within the casino (see Applicant's background page 3);

evaluating a respective performance of the first gaming machine at each of the plurality of different locations (see Applicant's background page 3); and

locating the first game machine in the casino based on the respective performances (see Applicant's background page 2).

As per claims 20 and 26, Applicant's background teaches:

A casino management method for evaluating performance of different gaming machines and locations within a casino, comprising the steps of

associating a respective location identifier with each of a plurality of locations within the casino (see Applicant's background page 2);

associating a respective placard identifier with each of a plurality of gaming machines within the casino tracking a relationship between a particular gaming machine and a particular location based on the location identifiers and the placard identifiers (see Applicant's background page 3). Applicant's background does not teach using a

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machine identifier. However, the argument made in claim 7 regarding this missing limitation is also made in claim 20.

tracking respective additional information about each of different gaming machines at a particular location (see Applicant's background page 3); and

generating a report providing a comparison of the respective additional information (see Applicant's background page 3).

As per claim 21, Applicant's background teaches:

The method according to claim 20, wherein the respective additional information relates to revisions of the different gaming machines (see Applicant's background page 3).

As per claim 22, Applicant's background teaches:

The method according to claim 21, wherein revisions include one or more of location movements, glass changes, software changes, peripheral additions and changes, location in/out of service changes, gaming machine in/out of service changes, maintenance changes, and alarm conditions (see Applicant's background page 3).

As per claims 23 and 29, Applicant's background teaches:

The method according to claim 20, wherein the respective additional information relates to gaming machine characteristics and player characteristics (see Applicant's background page 2; "heavier traffic").

As per claim 27, Applicant's background teaches:

The method according to claim 26, teach wherein the respective additional information relates to revisions of the different gaming machines (see Applicant's background page 3).

As per claim 28, Applicant's background teaches:

The method-according to claim 27, wherein revisions include one or more of location movements, glass changes, software changes, peripheral additions and changes, location in/out of service changes, gaming machine in/out of service changes, maintenance changes, and alarm conditions (see Applicant's background page 3).

4. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Background of the Invention.

As per claim 17, Applicant's Background of the Invention teaches:

A casino management method for evaluating machine and location performances, comprising the steps of

evaluating a first performance of a first gaming machine at a first location (see Applicant's background pages 2-3; Applicant's background teaches the monitoring of particular machines);

evaluating a second performance of a second gaming machine at a second location (see Applicant's background pages 2-3). Applicant's background does not expressly teach a first performance of a first machine and a second performance of a second machine. However, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that the casino resort management system taught in Applicant's background of the invention would track the

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performance of a first or a second machine as said system already is tracking the performance of each particular machine in a casino.

after relocation of the first gaming machine to the second location, evaluating a third performance of the first gaming machine at the second location (see Applicant's background page 3); and

comparing the first performance and the third performance in order to generate comparative performance data for the first gaming machine according to location within a casino (see Applicant's background page 3).

5. Claims 24, 25, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Background of the Invention in view Blad (US 2001/0048374) and further in view of the article International Game Technology (Dialogue File 545; Ref# 00850047).

As per claims 24 and 30, Applicant's background teaches:

The method according to claim 23, wherein:

gaming machine characteristics includes one or more of game type, game denomination, and game location (see Applicant's background page 3) but fails to teach that player characteristics includes one or more of group, age, sex, status and club level. However, the article International Game Technology (Dialogue File 545; Ref# 00850047) teaches a proprietary software that automates data collection in casinos including player characteristics (i.e. player's level of play; see paragraph 5). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that casinos would use the system taught by

International Game Technology to track players performance in particular machines and would use said tracking to determine the performance of said machines. This feature would help casinos better manage their game machines for the purpose of maximizing profits from said machines.

As per claims 25 and 31, Applicant's background teaches:

The method according to claim 20, but fails to teach wherein the respective additional information relates to different patron playing performance in a predetermined time frame. However, the same argument made in claim 24 regarding said missing limitation is also made in claim 25.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 37-43 are rejected under 35 U.S.C. 102(e) as being anticipated by Weiss (US 6,511,377).

As per claim 37, Weiss teaches:

A method of managing a cashless casino, comprising the steps of providing a patron card to a patron of a casino (see column 3, lines 15-20);

associating a monetary value with the patron card (see column 3, lines 10-25);

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providing a first game at the casino that accepts the patron card and recognizes the associated monetary value to allow a patron to play the game (see column 3, lines 5-20);

adjusting the associated monetary value based on the patrons play of the first game (see column 3, lines 40-55);

and upon receiving a request by the patron, exchanging the patron card for an amount of money based on the adjusted associated monetary value (see column 4, lines 1-20).

As per claim 38, Weiss teaches:

The method according to claim 37, further comprising the steps of:

receiving cash or cash equivalent from the patron (see column 3, lines 34-40);

determining the associated monetary value based on the received cash (see column 3, lines 34-40).

As per claim 39, Weiss teaches:

The method according to claim 37, wherein the adjusting step is performed by the first game (see column 3, lines 10-20).

As per claim 40, Weiss teaches:

The method according to claim 37, wherein the associated monetary value is stored on the patron card (see column 3, lines 10-25).

As per claim 41, Weiss teaches:

The method according to claim 37, wherein the associated monetary value is stored in a database, said database in communication with the first game and storing an

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association between the patron card and the associated monetary value (see column 3, lines 10-40).

As per claim 42, Weiss teaches:

The method according to claim 37, further comprising the step of generating a receipt related to the adjusted associated monetary value (see column 12, lines 32-37).

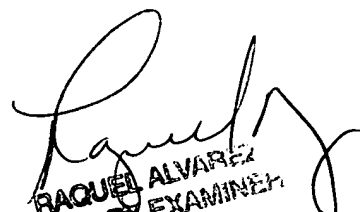
As per claim 43, Weiss teaches:

The method according to claim 37, further comprising the steps of
providing a second game at the casino that accepts the patron card and recognizes the adjusted associated monetary value to allow a patron to play the game; further adjusting the adjusted associated monetary value based on the patrons play of the second game (see column 3, lines 10-40).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 571-272-6720. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ERIC W. STAMBER can be reached on 571-272-6724. The Examiner's Right fax number is 571-273-6720.


RAQUEL ALVAREZ
PRIMARY EXAMINER

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Daniel Lastra
January 17, 2006